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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/774,261	02/06/2004	Michael J. Shelton	200209031-1	8670

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INTELLECTUAL PROPERTY ADMINISTRATION
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EXAMINER

RODRIGUEZ, LENNIN R

ART UNIT	PAPER NUMBER
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2625

NOTIFICATION DATE	DELIVERY MODE
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12/05/2007

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/774,261	Applicant(s) SHELTON ET AL.	
	Examiner Lennin R. Rodriguez	Art Unit 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-42 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 1-42 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. This application contains claims directed to the following patentably distinct species:

I. Species of the embodiment disclosed on paragraph [0022], [0023], [0025] and [0026]; in particular, the invention that provides the printing system 10 includes a multifunction printer 100. The printer 100 includes a printer subsystem 110 that is configured to print a plurality of proof sheets 120 associated with an image collection, and prints 104 corresponding to selected images from the image collection. The printer subsystem 110 includes a print mechanism 112 which forms the desired imaging on a sheet of media such as paper or coated photographic media. The print mechanism 112 may form the image using, for example, laser jet, inkjet, or other printing technologies, which may utilize media marking substances such as ink, toner, and the like. The printer subsystem 110 also includes a print controller 114 which receives print data and controls the print mechanism 112 to form the corresponding imaging. Printer 100 may also include user controls (not shown) that may be operated to cause printer 100 to print proof sheets 120 and/or scan user-marked proof sheets 120.

II. Species of the embodiment disclosed on paragraph [0035]; in particular, the invention that provides a cost manager 182 software module identifies a user-specified maximum printing cost, and prints the copies of the selected images for less

than or equal to the maximum printing cost. The operation of one embodiment of cost manager 182 will be discussed subsequently in greater detail with reference to FIG. 10.

III. Species of the embodiment disclosed on paragraph [0042]; in particular, the invention that provides exemplary proof sheet 120c is similar to proof sheet 120a. However, proof sheet 120c includes a stored job region 450. Stored job region 450 includes a storage mode subregion 452 for specifying how a print job associated with one or more scanned proof sheets will be stored, and a retention time subregion 454 for specifying how long the stored print job will be retained.

IV. Species of the embodiment disclosed on paragraph [0044]; in particular, the invention that provides User-markable region 510 associated with an individual image includes only a print copy count subregion, so that only the number of prints can be individually specified for different selected images. However, proof sheet 120d includes a cost region 550 usable to enable the selected images to be printed for less than or equal to a maximum cost. Cost region 550 includes a maximum cost subregion 552 for specifying the maximum total or per-image cost allowable for printing the selected images; a desired print characteristic subregion 554 for specifying the print characteristics that the user would prefer to use in printing the images; a minimum acceptable print characteristic subregion 556 for specifying the print characteristics that the user would be willing to use in printing the images if necessary to achieve the specified cost; a priority subregion 558 for specifying the order in which print characteristics will be adjusted if necessary to achieve the specified cost; and a suggested adjustment subregion 560 for enabling or disabling the suggestion to the

user of other print characteristic adjustments that would meet the specified maximum cost.

V. Species of the embodiment disclosed on paragraph [0047]-[0050]; in particular, the invention that provides if the proof sheet is not part of a proof sheet set, the subset of the image collection to be associated with the current proof sheet to be printed is identified at 708. If the proof sheet is part of a proof set then at 712 the event identifier associated with the collection of images, such as event identifier 240 (FIG. 2), and the user identifier associated with the current proof sheet, such as user identifier 242, are rendered for printing on the proof sheet.

The species are independent or distinct because claims to the different species recite the mutually exclusive characteristics of such species. In addition, these species are not obvious variants of each other based on the current record.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, no claims are generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which depend from or otherwise require all the limitations

of an allowable generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

2. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lennin R. Rodriguez whose telephone number is (571) 270-1678. The examiner can normally be reached on Monday - Thursday 7:30am - 6:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, King Poon can be reached on (571) 272-7440. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Lennin Rodriguez
11/26/07



KING Y. POON
SUPERVISORY PATENT EXAMINER